

Court, Court of Sessions [abolished; see Amendment State Constitution, 1862, Art. VI], Grand Juries, and offices of the County Clerk, County Recorder, Auditor, Treasurer, Assessor, Superintendent of Streets and Highways, and the Board of Supervisors; the expense whereof, when the amount in each particular case shall have been previously authorized and fixed by the Board of Supervisors, may be paid out of the General Fund, upon demands upon the treasury, duly audited as provided in this Act: *provided*, that the total amount of expenditures for all of the aforesaid books, stationery, and official blanks, shall not exceed the sum of twenty-five hundred dollars in any one year.

The several officers named in this Act, who are entitled to charge and collect, or receive any fees, commission, percentages, or other compensation, of whatever nature or kind allowed by law for services rendered by them or their Deputies, in their several official capacities, or for the performance of duties appertaining to said offices, shall collect and safely keep the same, and on each Monday they shall pay the total amount by them received to the Treasurer of said city and county, who shall set apart the same as a Special Fee Fund for the payment of the respective salaries of the several officers entitled to charge and collect fees, commissions, or other compensation. And the salaries of all other officers shall be paid out of the General Fund: *provided*, that the Assessor, so far as relates to the collection of poll tax, and the City and County Surveyor, shall be exempt from the provisions of this section. It shall be, and is hereby made, the duty of all such officers who are entitled to charge and collect or receive fees, commissions, or other compensation for their official services, to keep a book or books, in which shall be entered by items the amount received for all official services performed by them or their Deputies, showing the date and nature of such services, and the amount received therefor, which book or books shall, at all office hours, be open to the inspection of the Board of Supervisors or any citizen; and each of said officers shall, at the expiration of each month, make out and verify by oath, and file with the Auditor, a full and accurate transcript from his said book or books, of the entries for the preceding month.—[Act May 17, 1861, Sec. 2.] It shall be the duty of the Treasurer of the said city and county to receive, receipt for, and safely keep all moneys paid over to him under the provisions of this Act, and to make up, on the first day of October, eighteen hundred and sixty-one, and quarterly thereafter, an accurate statement of said Special Fee Fund, showing the actual condition of the same up to such time, when, if any balance remain in said fund after satisfying all demands payable out of the same, the Treasurer shall transfer such balance to the General Fund; but should such Special Fee Fund be insufficient to satisfy all the demands payable therefrom, then the Treasurer shall, at the request of the holder, register such unpaid demands against, and pay the same in their order of registration out of, the General Fund, as in other cases.—[Act May 17, 1861, Sec. 3.] All demands upon the treasury, allowed by this Act, shall, before they are authorized to be paid, be duly audited, as in other cases of demands lawfully paid out of the treasury. The several salaries named shall be payable monthly by the Treasurer upon the audit of the County Auditor, who is hereby directed to audit the salaries herein provided for.—[Act May 17, 1861, Sec. 4.] The Board of Supervisors may, from time to time, authorize the appointment of such additional Deputies for any of the various city and county officers, and for such period of time as in their judgment may be necessary for the proper and faithful discharge of the duties of such office. Deputies appointed under the provisions of this section shall receive not to exceed one hundred and fifty dollars per month each; but in no case shall the aggregate pay of such Deputies exceed three thousand dollars per annum.—[Act May 17, 1861, Sec. 5.] The fees receivable by the several officers named in this Act shall be payable in advance.—[Act May 17, 1861, Sec. 6.] For a willful neglect or refusing to comply with any of the provisions of this Act, by any officer or officers herein named, he or they shall be deemed guilty of felony, and on conviction thereof in the Court of Sessions,† he or they shall be subject to a fine not to exceed five thousand dollars, and a forfeiture of office or to imprisonment in the State Prison not less than one nor more than three years, or to both such fine and imprisonment: *provided*, that nothing herein shall be held to release such officer from the obligation to give the official bond required by law, or from any civil responsibility arising from his official duties.—[Act May 17, 1861, Sec. 8.] All requisitions for books, blanks, and stationery for any of the officers named in this Act, shall be made by such officers, respectively, upon the Board of Supervisors, stating the amount and description thereof, and that the same are essential and necessary for the use of such office, which statement shall be verified by the oath of such officer, and, upon their approval thereof, the said Board shall order the cost of the same paid out of the Special Fee Fund.—[Act May 17, 1861, Sec. 9.]

Sec. 12. Neither the Board of Supervisors, the Board of Education, or any officer of the said city and county, or of any district, shall have any power to contract any debt or liability, in any form whatsoever, against the said city and county; nor shall the people or tax payers, or any property therein, ever be liable to be assessed for or on account of any debt or liability hereafter contracted, or supposed or attempted to be contracted, in contravention of this section.

Sec. 13. [Obsolete.]

Sec. 14. All officers of the said city and county must, before they can enter upon their

* The Act of March 30, 1872, authorizes the payment out of the General Fund of such sums as may be deemed absolutely necessary for extra assistance in the offices of the Assessor, Tax Collector, and Auditor.

† Abolished; Municipal Court substituted.—[Act March 31, 1870; see Supplemental Act XXXI, page 930.]